

**FRANKLIN TOWNSHIP MINUTES  
WORKSHOP SESSION  
BOARD OF SUPERVISORS  
AUGUST 9, 2006**

**Call to Order:**

Chairman Richard Whipple called the Franklin Township Board of Supervisors public meeting to order at 6:34 pm. Other members of the Board in attendance included Vice Chairman Teddy Price, and Supervisors Norman Hughes, Juanita Bennett and Roger Wilson. Other officials in attendance included Mark Thompson, Solicitor; Stephen Ross, Interim Manager; Eric Brindle, Chairman of the Planning Commission; John Theisen, Township Engineer with LTL Consultants; and Jeff Eastburn, Assistant Township Manager. There were no members of the general public in attendance.

**Public Comment:**

None

**Approval of Minutes: July 10, 2006 and July 12, 2006**

Mr. Whipple moved, seconded by Mrs. Bennett to approve the minutes of July 10, 2006. Mrs. Price noted the following corrections: Page one, 4<sup>th</sup> paragraph 3<sup>rd</sup> line from bottom change "developer's" to "developers' ". Same paragraph, last sentence, add the words "**the Township's Consultant**", **before Thomas Comitta**. Page two, second bullet from bottom add "fee" after "open space".

Mr. Whipple moved, seconded by Mrs. Bennett to approve the changes as noted. Motion carried by a vote of 5-0.

Mr. Whipple moved, seconded by Mrs. Price to approve the July 12 minutes as presented. Motion carried by a vote of 5-0.

**Annis Stormwater Plan:**

Dr. G. D. Annis, resident of 13 Franklin Road, has a drainage ditch in his backyard that has been aggravated over time with storm water entering his property following construction of the Kemblesville West development. For more than a year the Township has been discussing the situation with Dr. Annis and a solution to the problem that is acceptable to the Township, Dr. Annis, and the adjoining neighbors has not been reached.

Mr. Theisen provided a report of his recent conversations with Dr. Annis. Two separate meetings were held with Dr. Annis and his neighbors. Mr. Theisen reported that although progress has been made, additional discussions will be required. Wilkinson Builders indicated previously that they may be willing to assist in getting the work done once a

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solution is reached. Mr. Ross will arrange to meet with Mark Elser in that regard at the appropriate time.

In a subsequent discussion between Dr. Annis and Mr. Theisen, Dr. Annis advised that he wanted to meet with his lawyer and the neighbors and would respond to Mr. Theisen once there was satisfactory resolve with his neighbors. At this point no further action is required.

**Amendment to Flood Plain Ordinance:**

Mr. Theisen explained the need for Franklin Township to adhere to the FEMA requirements and amend the flood plain ordinance by September 29, 2006. A copy of a draft ordinance was provided to the Board and Mr. Theisen explained the details of the ordinance and answered questions from the Board. Mr. Theisen indicated that most changes were minor with no significant impact to the Township. It was the consensus of the Board to authorize the Manager to proceed with forwarding the ordinance to the Solicitor and to advertise it for consideration at the September 20 meeting.

**Cable Television Legislation:**

Mr. Ross explained to the Board of Supervisors that both Congress and the PA General Assembly were considering legislation that would impact on cable companies and how they are currently regulated by local municipalities. Congress has approved a legislative version that would make cable companies accountable to the federal government. State Senator Dominic Pileggi has introduced a bill that he believes will encourage competition in the cable television market. PSATS has opposed the federal legislation but has not taken a position on the state legislation. The Board deferred action on the pending legislation until more factual information could be obtained from various sources.

**Crossan Park Improvements:**

Mr. Ross provided a report on his meeting with Kim Burgess of the County's Open Space Department. Said meeting was to determine whether the County would support a specific proposal for the future use at the park. The Township is obligated to make improvements worth \$43,000 at Crossan Park or refund this amount of money to the County in lieu of the previous skateboard component at the park. Duffield Associates prepared a conceptual plan depicting five optional uses at the park. The Board favored the Nodal 5 as depicted on the Duffield Plan which includes creating new soccer and flag football uses. As a second phase, Nodal 3 (former skateboard) could be considered for a tot lot. In the interim, Mr. Eastburn is exploring alternate uses for the pad. With this direction the Staff will be able to focus on Nodal 5 and recommend further study by an engineer.

**Building Code Appeal Board:**

Mr. Ross explained that there is a need for an Appeal Board to consider cases where a contractor wishes to appeal the decision of the Building Inspector. The Township Solicitor advised that the law requires that the Appeal Board consist of five people who are design professionals such as registered architects or structural engineers with experience in

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mechanical, plumbing, electrical or fire protection areas. Three residents have volunteered to be considered for appointment to the Appeal Board including Bill Finch, Ralph Olivier and Steve Lee. Mr. Whipple moved, seconded by Mrs. Bennett to approve the three individual appointments. Mr. Ross proposed that Mr. Finch be appointed with his term to expire on December 31, 2007, Mr. Olivier on December 31, 2009 and Mr. Lee on December 31, 2011. An amended motion was made by Mr. Whipple, seconded by Mr. Hughes, to add the dates of the five year terms as noted above. Motion carried by a vote of 5-0.

**Open Space Funds for Conservation Easements:**

Mr. Whipple provided background information regarding the fact that a property owner who donates a conservation easement is then held responsible for costs associated with maintaining said easement. These costs include survey work, endowment and other expenses. Mr. Whipple suggested using Open Space Funds, capped at \$500/acre, for the purpose of defraying the costs to the property owner. The Solicitor advised that the Township should be co-grantee of the easement in order to account for the money paid to the property owner. The Board is in favor of having the Solicitor draft a motion for the August 16 meeting that would permit open space funds to be used for this purpose.

Vice Chair Price excused herself at this point in the meeting.

**Additional Meeting Items:**

Mr. Wilson posed the question of whether there is a vacancy for an alternate member of the Zoning Hearing Board. It was determined there is a vacancy and it was suggested that Mr. Eastburn will attempt to find a suitable person to fill the vacancy.

Supervisor Bennett indicated she had information to the effect that a property owner in the southern end of the Township was seeking a buyer to keep the property as a farm. Chairman Whipple indicated that he would ask the Open Space Committee to re-contact that land owner to see if the Open Space Committee could possibly be of any assistance in keeping the property in agriculture.

**Public Comment:** None

**Adjournment:** Meeting adjourned at 7:45 pm.

Respectfully Submitted,

Stephen J. Ross  
Township Mgr./Sect.

Initial 8.09.06 (SJR)  
Revised 8.12.06 (ER)